

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

APRIL 19, 2010

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, April 19, 2010 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on April 15, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Steven Skok, Richard Gabler, Jr., Daniel Hepner, Richard Dornisch, Bob Roberts, and Manager David Greene. Solicitor Mark Jacob was excused.

VISITORS

Visitors included: Ricky Werneth, Mike Murgash, Richard Sadley, Warren Stewart and Ken Young.

APPROVAL OF MINUTES

April 5, 2010

Daniel Hepner made a motion to approve the minutes of April 5, 2010, seconded by Steven Skok, and all were in favor.

REPORT ON EXECUTIVE SESSION

Mayor Geyer stated there was an Executive Session held prior to tonight's meeting regarding personnel matters (Manager's Evaluation), and no decisions were made.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

March 11- Vic Straub and I met with Barney Erich to discuss the possible acquisition of 9 tenths of an acre of land in front of the Wastewater Treatment Plant.

March 18- Attended the Open House of the new Crown Realty Services on Chestnut Street.

March 22- Attended an Energy Workshop at North Central Regional Planning offices in Ridgway hosted by Allegheny Power.

March 25- Matt Pfeufer and I met with representatives from Lee-Simpson and Associates to discuss various topics including Act 167 Stormwater management.

March 26- Attended an Alternative Energy Forum Workshop at North Central Regional Planning offices in Ridgway to learn about \$650 million dollars in State Financing for Energy Programs that will be available through DCED.

April 6- Attended the meeting held by PennDOT at the South St. Marys Street Elementary School to learn more about the South St. Marys Street Reconstruction Project planned for next year. A public meeting will be held on April 22nd at the South St Marys Street Elementary School Gymnasium.

April 14- Matt Young and I attended a meeting at the Elk County Courthouse to learn more about the Guaranteed Energy Savings Act (GESA) Program.

APPROVAL OF EXPENDITURES

Dennis Nero made a motion to approve the Expenditures from March 11, 2010 to April 14, 2010, seconded by Richard Dornisch.

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Comment

Dennis Nero questioned one item regarding the purchase of "hose" and Mayor Geyer questioned training expenses. Manager Greene stated the training expense was for a police officer and he would check on the cost of the hose for Mr. Nero.

Motion Passed

All were in favor to approve the Expenditures.

TREASURER'S REPORT

Mayor Geyer presented the following Treasurer's Report as of March 31, 2010:

The City is at the end of the first quarter of 2010, and has collected 18% of revenue and expensed 19.59% of the budget for the General Fund. Last year at this time the City brought in 16.14% of budget for the General Fund and spent 19.69% of its budget. The City has collected 28.26% of the budgeted amount for Earned Income and 18.35% for Real Estate taxes. Last year Earned Income was at 27.36% and Real Estate taxes were at 17.17%.

LEGISLATIVE ACTION

Consider for adoption:

Resolution No. 10-5 re: Support of the H.R. 4812, Local Jobs for America Act

Resolution 10-5 was presented for consideration for adoption in support of the Local Jobs for America Act.

Manager Greene stated the Pennsylvania League of Cities and Municipalities (PLCM) had brought this to his attention and the Resolution was to show the City's support of H.R. 4812.

Motion

Richard Gabler, Jr. made a motion to adopt Resolution No. 10-5, seconded by Bob Roberts.

Discussion

Mayor Geyer questioned if the money was going to come from the Federal Government.

Manager Greene explained H.R. 4812 was asking the federal government to step in and support the local governments that are struggling right now.

Dennis Nero was concerned the funding would provide for hiring additional workers, but not to retain them for any length of time.

Manager Greene stated if the funds became available, the City would utilize the funds to retain its current workforce until the local economy stabilizes.

Mayor Geyer was concerned the unemployment rate was at 12.2 percent.

Richard Dornisch stated he believed the unemployment rate has been over 10 percent for the past eleven months.

Daniel Hepner was concerned that the distribution of these funds would add to the federal deficit.

Richard Gabler, Jr. was concerned if the City did not support H.R. 4812, by approving this Resolution, the City may get overlooked when it came time to distribute the funds.

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Richard Dornisch thought, as with the prior stimulus monies, that it would be an across the board distribution.

Motion Passed

All were in favor to adopt Resolution 10-5.

Resolution No. 10-6

Re: Opposing the adopting of a County Wide Act 167 Stormwater Management Plan.

Resolution 10-6 was presented opposing the adopting of a County Wide Act 167 Stormwater Management Plan.

Manager Greene explained he would like to present this Resolution at the PLCM District meeting for consideration to be presented to the PLCM state wide meeting that would be held in June of this year.

The Resolution stated the City opposes the adoption of an Act 167 by the County of Elk until such time as:

1. The funding has been restored to the Stormwater Management Fund for reimbursement of administrative, enforcement, and implementation costs.
2. A system of compliance is implemented by the Department of Environmental Protection in regard to stormwater management.
3. The financial costs to municipalities, counties, developers, and citizens are studied.
4. The impact of stormwater management policies, on future development, is assessed.
5. The General Assembly approves the stormwater management guidelines and the model stormwater management ordinance, pursuant to Section 14.b of Act 167 of 1978.

Motion

Dennis Nero made a motion to adopt Resolution 10-6, seconded by Richard Gabler, Jr.

Discussion

Mayor Geyer commented Act 167 could hinder building a new home.

Manager Greene stated stormwater management was already in place for commercial and industrial properties, but Act 167 would include residential properties. He also clarified the Resolution is requesting the County not to implement the stormwater management plan until the five conditions listed are addressed.

Motion Passed

All were in favor to adopt Resolution 10-6.

Subdivision Application:

First United Methodist Church and George and Diane Dobson, South Michael Road and West Eschbach Road

A subdivision application was presented for the First United Church and George and Diane Dobson for property located on South Michael Road and West Eschbach Road, and proposes to divide a 12.31 acre lot (Parcel A) from a 22.65 acre parcel (Parcel B) for the purpose of a new building lot. Parcel A does not have adequate frontage or lot width according to Section 210.4 of Zoning Ordinance #227, but the Zoning Hearing Board granted variances for Parcel A. The new lot has access to public water and sewage. The residual parcel is 10.34 acres and is vacant. This subdivision is a re-application due to an error on the originally approved subdivision map. The Planning Commission commented on a minor deed description error, which was corrected.

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Mayor Geyer questioned how one of the adjacent parcels would have access to their property.

Ricky Werneth, representing the First United Methodist Church, stated the parcel in question was a vacant lot.

Motion

Daniel Hepner made a motion to approve the First United Methodist Church and George and Diane Dobson subdivision application, seconded by Bob Roberts, and all were in favor.

Request for use of the Diamond

Manager Greene presented a request from Teri Schlabach, Coordinator for the St. Marys Pastors Fellowship, to use the Diamond, use of electricity, and to have the surrounding parking meters bagged for the National Day of Prayer Event being held on May 4, 2010 at 6:00 p.m.

Motion

Richard Dornisch made a motion to approve the request, seconded by Steven Skok.

Discussion

Council wanted to clarify the request was for reserved parking and not free parking.

Manager Greene stated it was for reserved parking for the invited officials and he would have the Police Department bag the meters around the inside of the Diamond area.

Daniel Hepner suggested future requests should be made to Council before the Event is advertised.

Motion Passed

All were in favor to approve the request for use of the Diamond.

TOPICS FOR DISCUSSION

Land Development Application re: Pegasus Tower Co., 165 Muenster Road

A Land Development Application was received from Pegasus Tower Co., LTD which proposes to construct a 150 foot tall monopole communication tower on a 70 ft. X 70 ft. leased piece of property owned by Catherine Pomanti. The City Zoning Ordinance #227, Section 200.3.3 permits communication towers via the approval of a special exception by the Zoning Hearing Board according to regulations found in Section 420 and Section 604.3. The Zoning Hearing Board approved the special exception at a hearing on March 31, 2010. The Planning Commission commented that a no-build radius equal to the height of the tower, centered on the tower, would be a good idea.

Bob Roberts suggested the comment from the Planning Commission should have been made a condition.

**CITIZEN COMMENTS
ON NON-AGENDA TOPICS**

Mike Murgash

Mike Murgash, property owner on South St. Marys Street, inquired how many hearings PennDOT has scheduled regarding the South St. Marys Street reconstruction. He advocated for five lanes for 50 years and urged all residents to attend the hearing.

Warren Stewart

Warren Stewart approached Council and on behalf of the St. Marys Downtown Merchant's Group thanked Council for granting their request for free parking on Saturday, April 24, 2010 for their Spring Blow-Out. He also asked if there were any updates on the Parking Garage or if the permits have been approved.

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Manager Greene stated the permits were not approved yet.

COUNCIL COMMENTS

Richard Dornisch commented since he would not be available for the PennDOT hearing, he wanted to express his opposition to the decreasing of lanes on Route 255.

Richard Gabler, Jr., wanted to make residents aware that Clean-Up Day will be held this Saturday, but the electronics recycling would "not" be open during Clean-Up Day. He also stated there would be a medicine collection at Elk Regional on Saturday, April 24, 2010, from 8:00 a.m. until noon.

Daniel Hepner commented there is now a four lane option for the Route 255 reconstruction and suggested residents take a survey regarding the reconstruction on the Chamber of Commerce website.

Dennis Nero stated his opposition to PennDOT's three lane plan, but was in favor of a solution.

Bob Roberts commented his desire was for Council to work together to come up with a recommendation for the Route 255 issue, rather than individually.

Mike Murgash spoke again and stated the four lane option for Route 255 was at Council's request and he believed it would be the last option considered due to the accident ratio.

Mayor Geyer urged all drivers and citizens to attend the PennDOT hearing and express their views. She also stated she had sent a letter to Mr. Dean Ball of PennDOT expressing her opposition to the three lane proposal.

Mason Catalone, who is involved with the St. Marys Area Young Republicans, commented any stimulus money should be used to work on roads and bridges.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- The next Council worksession will be held Monday, May 3, 2010 at 7:00 p.m. at City Hall.
- PennDOT will be holding a public hearing regarding Route 255 on Thursday, April 22, 2010 from 5:00 p.m. until 7:30 p.m. at the South St. Marys Street Elementary School.
- Arbor Day Ceremony will be held Friday, April 23, 2010 at 9:00 a.m. with a tree planting on Depot Street and will then move to City Hall.
- Clean-Up Day will be held Saturday, April 24, 2010, from 8:00 a.m. until 2:00 p.m.

ADJOURNMENT

Dennis Nero made a motion to adjourn the meeting.

Lorrie Levenduski
Recording Secretary

Mayor